

### REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Official Action dated May 19, 2006 and the telephone interview with the Examiner on June 30, 2006. Applicants thank the Examiner for taking the time to conduct the interview.

The Examiner agreed that claim 21 is fully supported as noted in the response. However, he needs to conduct another search to see if there is any further prior art that may read on the claims.

In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due consideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

### Status of the Claims

Claims 1-10 and 20-30 are under consideration in this application. Claim 21 is are being amended, as set forth in the above marked-up presentation of the claim amendments, in order to more particularly define and distinctly claim applicant's invention.

The claims are being amended to correct formal errors and/or to better recite or describe the features of the present invention as claimed. All the amendments to the claims are supported by the specification. Applicant hereby submits that no new matter is being introduced into the application through the submission of this response.

### Missing IDS Reference

Regarding the 756-page long IDS reference entitled "Replication Guide and Reference, Version 8" reference, the Examiner expressed his regret that he could not take it in a CD format as he told us, but only in hardcopy, after the first copy was sent but lost in the PTO mailroom. Applicants will re-submit a paper copy of the reference separately from this response, which will be -filed through the United States Patent and Trademark Office Mail Room as suggested by the Examiner.

### Formality Rejection

Claims 21-30 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants point out the relevant supports for the first, second, and third copy data storage areas in the specification as follows.

The data processing system of the invention (for example, the embodiment depicted in Fig. 25), as now recited in claim 21, comprises: a first storage system 100A connected to a host unit; and a second storage system 100B and a third storage system 100C each connected to said first storage system 100A. The first storage system 100A (Fig. 12) comprises: a first data storage area 150/230 (*"The disk adapter 120 then saves the write data in the physical storage unit 150 by read-write processing (1110 in FIG. 12)"* p. 43, last paragraph) for storing data transmitted from the host unit as a primary volume; a first copy data storage area 130 (*"The channel adapter 110 receives the write data and retains it in the cache memory 130 (step 1250; 1100 in FIG. 12)"* p. 43, 2<sup>nd</sup> paragraph) for temporarily storing a copy of data to be stored in said first storage area; and a first control unit which writes the data transmitted from said host unit into said first data storage area, writes copy data of the data written into said first data storage area 150/230 into said first copy data storage area 130, and transmits said copy data present in said first copy data storage area 130 to each of said second and third storage systems. The second storage system 100B (Fig. 18) comprises: a second data storage area 150/230 for storing a copy of the data present in said first data storage area as a first secondary volume; a second copy data storage area 130 (*"the disk adapter 120 writes the update information and write data into the physical storage unit 150 by read-write processing 220 and releases the cache memory 130 (1640 in FIG. 18)." p. 63, 2<sup>nd</sup> paragraph*) for temporarily storing said copy data transmitted from said first control unit; and a second control unit which receives said copy data from said first control unit, writes the copy data into said second copy data storage area, writes a copy of the data present in said first data storage area into said second data storage area based on said copy data present in said second copy data storage area. The third storage system 100C (Fig. 18) comprises: a third data storage area for storing a copy of the data present in said first data storage area as a second secondary volume; a third copy data storage area for temporarily storing said copy data transmitted from said first control unit; and a third control unit which receives said copy data from said first control unit, writes the copy data into said third copy data storage area, writes a copy of the data present in said first data storage area into said third storage area based on said copy data present in said third copy data storage area, and said first control unit of said first storage system detects as to whether or not said copy data present in said first copy data storage area has been transmitted to said second and third storage systems, holds said copy data present in said first copy data storage area until the copy data is transmitted to both said second and third storage systems, and deletes said copy data present in said first copy data storage area after the copy data has been transmitted to both said second and third storage

systems.

Accordingly, the withdrawal of the outstanding informality rejections is in order, and is therefore respectfully solicited.

Allowed Subject Matter

Claims 1-10 and 20 remained allowed.

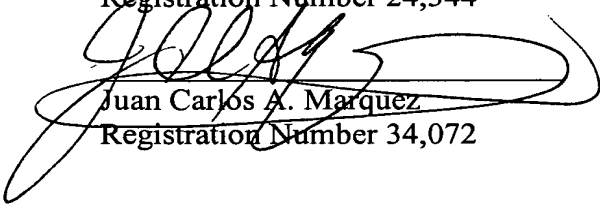
Conclusion

In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,

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